

## **REMARKS/ARGUMENTS**

Claims 1-21 are pending in the present application. Reconsideration of the claims is respectfully requested.

### **I. Drawings**

The Examiner has stated that the drawings are objected to under 37 CFR 1.83(a) for not showing every feature of the invention specified in the claims. In particular, the Examiner states that ‘the indication of a presently displayed document on the list of currently active browser windows’ must be shown. Applicant urges that such ‘indication’ is already shown in the figures. For example, as shown in Figure 4B, such indicators are “ABC Company”, “Window A”, and “Window B”, which are special indicator characteristics associated with the list of currently active browser windows 426. Without reciting such particular indicator characteristics of the list 426, such list could be virtually anything, such as a bullet list or a list of numbers or a list of colors, for example. However, per the features of the claims, this ‘list’ has particular indicator characteristics/properties associated therewith, such that the list includes an indication of a presently displayed document on the list of currently active browser windows, thereby advantageously providing a user with a concise listing of presently displayed documents in the active browser windows. Thus, because these indicators are already depicted in the Figures (“ABC Company” is an indicator of the presently displayed document in current active window 402; “Window A” is an indicator of the presently displayed document in current active window 408; “Window B” is an indicator of the presently displayed document in current active window 410; also see Specification page 13, lines 8-20), this objection to the drawings is in error.

Thus, the objection to the drawings is overcome.

### **II. 35 U.S.C. § 112, First Paragraph**

Claims 1-20 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. This rejection is respectfully traversed.

The Examiner states that the limitation “a new document is to be displayed, a list of currently active browser windows including an indication of a presently displayed document” is new matter not previously disclosed since Applicant’s specification indicates that a list of currently active browser windows display when “select” is selected by the user, not “new” for example. Applicant urges that this claimed feature is described in the Specification at page 5, lines 5-8, page 13, lines 11-30, and originally filed Claim 1 (which is also a part of the Specification as originally filed). As described in the Specification, in the preferred embodiment the list is displayed in response to a user right-clicking on a

URL to be opened, followed by the user selecting a given menu option (in the preferred embodiment, such menu option is labeled ‘select’ but this particular choice of a word is not critical to the invention, and could arbitrarily be other command notations/labels such as ‘specify window’ or ‘window specify’ or ‘window select’ or ‘existing’ or any of a numerous – and virtually an unlimited number of - ways to give a user a menu item for selection, as such choice of a particular title for the menu item is not critical to the present invention). Importantly, the Examiner appears to equate ‘new document’ in the claim with the ‘new’ in the menu list 418. However, **the ‘new’ in the menu list 418 refers to a new window, and not a new document**, in the preferred embodiment (Specification page 13, lines 23-25).

To summarize, the ‘user input’ recited in Claim 1 is, in the preferred embodiment, a right mouse click over a URL followed by the user selecting a particular menu item (in this case, ‘select’ 424 of Figure 4B). The ‘new’ element 422 of Figure 4B represents a user desiring a new *window*, and not the *new document* recited in the claims, in the preferred embodiment.

It is also noteworthy that Claim 1 does not specify exactly what the user selects in performing the ‘user input’ – nor is there any legal requirement to specify exactly what the user selects in the claim - as per Claim 1 the user input is generalized to be *any* form of user input that indicates that a new document is to be displayed.

Applicant traverses the rejection of Claims 2-20 for similar reasons to those given above with respect to Claim 1.

Therefore, the rejection of Claims 1-20 under 35 U.S.C. § 112, first paragraph has been overcome.

### **III. 35 U.S.C. § 112, Second Paragraph**

Claims 1-20 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. This rejection is respectfully traversed.

The Examiner states the claims are confusing, because the list of browser windows is displayed when ‘select’ is selected, and not when ‘new’ is selected. The Examiner is correct, as per the preferred embodiment the list of browser windows is displayed when ‘select’ is selected. The ‘new’ is selected when a new *window* is desired to be opened. However, the claims merely state that ‘user input’ results in such displaying of the browser window list (in particular, the list display occurs is ‘in response to receiving user input’), and does not specify exactly ‘what’ the user selects when performing such ‘user input’ – and the ‘what’ that the user selects is described in the preferred embodiment at Specification at page 13, lines 11-30 to be a right mouse click followed by ‘select’, as previously described above in response to the 35 USC 112, first paragraph rejection.

Thus, it is urged that the Examiner’s confusion regarding a user selecting ‘new’ is not with respect to selecting a new *document*, but instead is directed to selecting a new *window* in the preferred embodiment, as clearly described in the Specification – and the claims do not claim otherwise.

Applicant traverses the rejection of Claims 2-20 for similar reasons to those given above with respect to Claim 1.

Therefore, the rejection of Claims 1-20 under 35 U.S.C. § 112, second paragraph has been overcome.

#### **IV. 35 U.S.C. § 102, Anticipation**

Claims 1, 3, 5-9, 11, 13-15, 17, 19 and 20 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Busis et al. (U.S. Publication No. 2002/0085025), hereinafter “Busis”. This rejection is respectfully traversed.

With respect to Claim 1, such claim recites “replacing, in response to a user selection of a browser window from the list of currently active browser windows, a document displayed in the browser window with the new document”. As can be seen, per these features of Claim 1, a document that is displayed in a browser window *is replaced* with the new document in response to a user selection of a browser window from the list of currently active browser windows.

In rejecting this aspect of Claim 1, the Examiner cites Busis’ teaching at paragraph 0046 and figure 4 as teaching such claimed feature, since such passage teaches ‘opening a new window, selected browser window is opened’. Applicant urges that such ‘window opening’ does not teach *document replacement* in an ‘opened window’ (that occurs in response to a user selection of a browser window from the list of currently active browser windows) – instead Busis’ Figure 4 is directed to a technique for *adding information to a user’s list* (paragraph [0045], lines 1-2), such as a URL of a web page that is open on a client’s device (paragraph [0045], lines 7-10). The ‘window opening’ that the Examiner cites as teaching the ‘replacing’ step of Claim 1 is not directed to any type of document replacement in a window, as claimed, but instead is directed to opening a new browser window for the user such that the user can search the internet (paragraph [0046], lines 8-12). This cited passage also describes another situation where a new window is opened, such that a listing of the URLs for all open windows is displayed in this newly opened window. Importantly, because this is a *newly opened* window, there is nothing being ‘replaced’ – such as replacing a displayed document with a new document, as claimed – as the window is newly opened and thus has nothing displayed in it prior to it being newly opened.

Thus, the Examiner’s assertion that Busis’ description of ‘opening a new window’ is equivalent to the claimed step of replacing a document displayed in a browser window with the new document is clearly erroneous, as such ‘window opening’ of a new window does not have any document displayed in it that is replaced with a new document in response to a user selection of a browser window from a list of

currently active browser windows. **Instead, and importantly, Busis describes that user selection of a browser window from a list of currently active browser windows results in such selected URL being copied to the user's list window** 80 (paragraph [0046], lines 27-30). In contrast, per the features of Claim 1, *a document that is displayed in the browser window that the user selects* (from a list of currently active browser windows) is replaced with a new document. The cited reference does not teach such document replacement in response to a user selection from a list of currently active browser windows, but instead describes that the selected URL is copied to a list. Therefore, as every element recited in Claim 1 is not identically shown in a single reference, it is urged that Claim 1 has been erroneously rejected under 35 USC 102.<sup>1</sup>

Applicant traverses the rejection of Claims 3 and 5-8 for reasons given above with respect to Claim 1 (of which Claims 3 and 5-8 depend upon).

Applicant traverses the rejection of Claims 9, 11, 13-15, 17, 19 and 20 for similar reasons to those given above with respect to Claim 1

Therefore, the rejection of Claims 1, 3, 5-9, 11, 13-15, 17, 19 and 20 under 35 U.S.C. § 102(e) has been overcome.

## V. 35 U.S.C. § 102, Anticipation

Claim 21 stands rejected under 35 U.S.C. § 102(e) as being anticipated by Sylor et al. (U.S. Publication No. 2002/0186238), hereinafter “Sylor”. This rejection is respectfully traversed.

Claim 21 recites “a list of browser windows is displayed including *an indication of a presently displayed document in each respective browser window in the list of browser windows*” (emphasis added). This is substantially different from the teachings of the cited reference. The Examiner states that the display of an indication of a presently displayed document in each browser window is described by Sylor at paragraphs 0152 and 0177. Applicant urges error in such assertion. For example, Sylor describes at paragraphs 0152:

“[0152] The “File” dropdown menu 518 includes dropdown items 519 for “New”, “Open”, “Delete”, “Connect to server”, “New window”, “Recent list”, and “Exit”. “New” allows user 23 to select logical hierarchy 30 to open in a new display window 50, while “Open” allows the same selection but uses an existing display window 50. “Delete” allows the user to close such display window 50. “Connect to server” opens a login dialog (not shown) so that user 23 may present credentials to web server 60. “New window” opens a redundant version of the current display window 50. “Recent list” is a flexible list of several dropdown items 519, each dropdown item 519 corresponding to a recently

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<sup>1</sup> For a prior art reference to anticipate in terms of 35 U.S.C. 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

used logical hierarchy 30. Menu separators 521 can bracket the "Recent list". "Exit" starts a process to close client application 22."

As can be seen by Sylor's Figure 6B, a display window 50 is displayed. There is nothing shown/displayed in this display window 50 that indicates a *presently displayed document in each respective browser window* of currently active browser windows. Instead, menus of *commands* are depicted by Sylor. Thus, this cited passage does not teach the displaying step recited in Claim 1, as this cited passage does not teach displaying *an indication of a presently displayed document in each respective browser window for multiple browser windows*.

Nor does the Sylor cited passage at paragraph [0177] overcome this 'displaying' step teaching deficiency. There, Sylor states:

"[0177] Main UI class 67 presents display window 50 that is the first interactive window presented by client application 22 at startup. When user 23 chooses dropdown item 519 (shown in FIG. 6B) such "New" or "Open" that opens logical hierarchy 30 for display, an instance of Main UI class 67 manages the displaying. As shown in FIG. 7B, Main UI class 67 launches objects including synch browser manager 68, viewer model 69, and viewer 64."

This passage states that in response to a user choosing a 'New' or "Open" command, a logical hierarchy 30 is open for display, and a synch browser manager, viewer model and viewer are launched. The 'opening of a logical hierarchy for display' does not teach the claimed step of displaying an indication of *a presently displayed document in each respective browser window for multiple browser windows*, as expressly recited in Claim 21. Instead, such opening of a logical hierarchy is described as being a flexible structure for collecting resource profiles and their relevant dependency relationships under one or more conceptual frameworks (Sylor paragraph [0084]).

Thus, as every element recited in Claim 21 is not identically shown in a single reference - and in particular there is no teaching of displaying an indication of a presently displayed document in each respective browser window for multiple, currently active browser windows - it is urged that Claim 21 is not anticipated by the cited reference.

Therefore, the rejection of Claim 21 under 35 U.S.C. § 102(e) has been overcome.

## **VI. 35 U.S.C. § 103, Obviousness**

Claims 2, 4, 10, 12, 16 and 18 stand rejected under 35 U.S.C. § 103 as being unpatentable over Busis in view of Sylor. This rejection is respectfully traversed.

Applicant traverses the rejection of Claims 2 and 4 for reasons given above with respect to Claim 1 (of which Claims 2 and 4 depend upon).

Applicant traverses the rejection of Claims 4, 12, 16 and 18 for similar reasons to those given with respect to Claims 2 and 4, respectively.

Therefore, the rejection of Claims 2, 4, 10, 12, 16 and 18 under 35 U.S.C. § 103 has been overcome.

**VII. Conclusion**

It is respectfully urged that the subject application is patentable over the cited reference and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,

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